

UNITED STATES DISTRICT COURT

for the
RECEIVED
 Middle District of Alabama

In the Matter of the Search of

2019 JUN 19 A 11:14

(Briefly describe the property to be searched
 or identify the person by name and address)

DEBRA P. HACKETT, CLK

Case No.

2:19mj188-WC

Christopher Cleveland, 712 Mill Street, Montgomery, AL
 36108, USPS tracking: 9505 5123 7382 9166 5325 83

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

One Priority Mail 2-Day parcel addressed to Christopher Cleveland, 712 Mill Street, Montgomery, AL 36108

located in the Middle District of Alabama, there is now concealed (identify the person or describe the property to be seized):

controlled substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments consisting of payment and/or proceeds relative to the distribution of controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

Title 21, USC, Sections 841(a) Controlled Substance Act
 (1) and 843(b)

The application is based on these facts:

See attached affidavit (ATTACHMENT 1) incorporated herein by reference and made part of this application.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

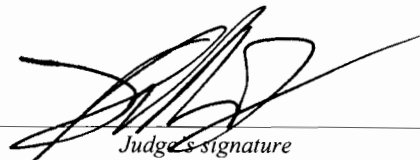
Jerry Boykins, Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 6/19/2019

City and state: Montgomery, AL



Judge's signature

Chief Magistrate Wallace Capel, Jr.

Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT
ATTACHMENT 1

I, Jerry Boykins, U.S. Postal Inspector, depose and state:

1. I am a Postal Inspector with the United States Postal Inspection Service (USPIS), and have been employed in this capacity since February 2013. I am currently assigned to the Houston Division's Montgomery, Alabama domicile. I am an "investigative or law enforcement officer" within the meaning of Title 18, United States Code Section 2510(7). That is, I am an officer of the United States who is empowered by law to conduct investigations and to make arrests for crimes furthered through the use of the United States Mail or in connection to the United States Postal Service (USPS), property of the USPS, and other postal offenses, as set forth in 18 U.S.C. § 3061.
2. This affidavit is written in support and as part of an application for a search warrant to search one parcel currently in the custody and control of the USPIS. The information contained in this affidavit is based on my personal knowledge and observations, on information conveyed to me by other individuals, including law enforcement officials and postal employees, as well as on my review of records, documents, and other physical evidence obtained. This affidavit only contains information necessary to support probable cause for a search warrant and is not intended to include every fact observed by your affiant or known to the government.
3. Prior investigations by U.S. Postal Inspectors have determined that the U.S. Mails are being used to transmit controlled substances and proceeds from controlled substances. In your affiant's training and experience, some areas of the country are known to be major sources for illegal drugs being mailed into the state of Alabama, but in rare cases, Postal Inspectors have intercepted drug parcels being mailed from Alabama to other areas in the country. I have also been involved in numerous investigations where drug proceeds packages were seized en route to drug source locations via the U.S. Mail. My training and previous experience has made me familiar with the method and manner that drug traffickers use to move illegal drugs and drug proceeds through the U.S. Mail.
4. Your affiant is aware the distribution of illegal drugs, narcotics, and proceeds from the sales of these illegal drugs and narcotics through the U.S. Mail, can make USPS employees and facilities targets of crimes during the unknowing delivery of drug or proceeds packages. Your affiant is also familiar with cases where USPS employees have been targeted for robbery because of packages known to contain illegal drugs and/or proceeds from the distribution of illegal drugs.
5. On June 17, 2019, Inspectors were contacted by postal staff at the Westside Post Office. Postal staff identified a package that was emitting very strong suspicious odor destined to an address there in Montgomery, AL. It should be noted the normal postal carrier have noticed every two-three days for the past several months this address has received a

Priority mail piece. This is very unusual based on the history and frequency of prior packages. On this same day, Inspectors retrieved the package for further investigation.

6. Inspectors noticed the package was mailed from a zip code located in Colorado Springs, CO. A search of the CLEAR law enforcement database revealed Inspectors were unable to locate any individuals associated with the recipient in the state of Colorado.
7. The parcel in question is described as follows:
 - a. Addressed To: Christopher Cleveland
712 Mill Street
Montgomery, AL 36108
 - b. Return Address: Davis Coleman
810 Tammy Drive
Colo Sprgs, CO 80916

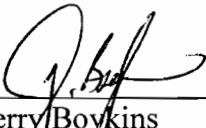
Priority Mail 2-Day
USPS Tracking Number:
9505 5123 7382 9166 5325 83
 - c. Weight: 13 oz.
 - d. Postage: \$7.90

This package will be referred to henceforth in this affidavit as Parcel **2583**.

8. On June 18, 2019, Parcel **2583** was examined by narcotics detection canine "Ace," handled by Lt. Richard Talley from Alabama Department of Corrections. During the examination, "Ace" alerted to Parcel 7089, indicating that there was a scent of controlled substances emitting from Parcel 7089. "Ace" is a male Belgium Malinois approximately four years old, and has been working as a K9 narcotics detector dog since 2013. "Ace" participates in minimum of 16 hours of in-service training per month, as well as routine usage. Per his handler, Lt. Richard Talley, "Ace" was certified through Central Alabama Police K-9 Training Association, Inc., and Alabama Canine Law Enforcement Officer's Training Center, Inc. "Ace" is certified to detect cocaine, marijuana, heroin, methamphetamine, crack, and MDMA. Lt. Talley has been a canine narcotics handler with Alabama Department of Corrections for approximately nine years and has worked with "Ace" for approximately three years. Lt. Talley has confirmed the K-9's credibility and reliability. "Ace" has successfully alerted hundreds of times during training and real life situations. "Ace" is available seven days a week to conduct drug sniffs for Alabama Department of Corrections and other outside agencies. "Ace" has several narcotic arrests.
9. Based on the facts set forth in this affidavit, and based on my training and experience, there is probable cause to believe that Parcel **2583** contains controlled substances. As a

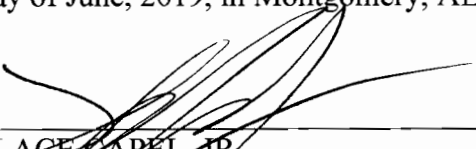
result, your affiant respectfully requests the court issue a search warrant authorizing the search of Parcel **2583**. Additionally, your affiant requests the seizure of Parcel **2583**, controlled substances, currency, and/or negotiable instruments contained therein. Your affiant also requests the seizure of any additional enclosed materials recovered during the search of the parcel, which may represent evidence of the distribution of controlled substances, to include evidence as to the identity of the source of the packages and/or the recipient thereof, all in violation of 21 U.S.C. §§ 802, 813, 841(a)(1), 843(b), and 846.

10. Parcel **2583** has been maintained in the custody of the undersigned affiant in this District pending application for a search warrant.



Jerry Boykins
U.S. Postal Inspector

Sworn to and subscribed before me this
19th day of June, 2019, in Montgomery, AL.



WALLACE CAPEL, JR.
CHIEF UNITED STATES MAGISTRATE JUDGE